

REMARKS

Reconsideration and allowance of the above referenced application are respectfully requested.

Claims 1-3, 5, 31, 33 and 34 stand rejected under 35 USC 112, first paragraph, as allegedly failing to comply with the written description requirement. The rejection states that the specification does not support the other optical beams surrounding the location. In context, it is believed that Claim 1 was entirely clear that the other optical beams referred to were those produced from the input optical beam. However, Claim 1 has been amended to make this more explicit. This is supported by the specification which explains, for example, that the beams that are created go to only one location. For example, paragraph 22 describes how the beams are moved to different locations. This is described in many places within the specification.

Claims 19, 26, 28, 29 and 32 stand rejected under 35 USC 112, second paragraph as being indefinite. In response, please consider the following. Initially, the indication that Claim 19 is misdescriptive of the elected species is respectfully traversed. The claim requires that for at least a plurality of the reflectors, each of the plurality reflects towards another of the plurality. Consider the mirrors 220 and 240. The mirror

220 reflects towards the mirror 240. Hence, Claim 19 is completely definite, and hence the rejection is respectfully traversed.

Claims 1-3, 31 and 30 3-35 stand rejected under 35 USC 102(b) as allegedly being anticipated by Leddy et al. Claims 5 and 30 are rejected over Leddy et al. in view of Lin et al. each of these contentions are respectfully traversed.

Claim 1 defines that a focused optical beam is produced at a different location based on the input. As previously described, Leddy et al. always produces the image at the same location. Hence, Leddy et al. does not fairly disclose a claim limitation that requires the beam to be located at a location without other optical beams that result from reflecting the input optical beam surrounding the location.

The dependent claims should be independently allowable. Claim 31 defines producing a pencil light beam from a laser device. This is further patentable over the cited prior art. Claims 33 and 34 should be allowable, since they define multiple different positions which is not possible using the DMD device in Leddy et al.

Claim 35 defines that the position of the reflector elements are controlled using "multiple digital bits" which is not suggested by the DMD device in Leddy et al.

Claims 5 and 30 stand rejected under 35 USC 103 as allegedly being unpatentable over Leddy et al. in view of Lin et al. Leddy et al. teaches nothing about different sized mirrors. Lin et al. teaches nothing about different sized mirrors being movable. A person having ordinary skill in the art would not be motivated to use the teaching of Lin et al. to make a movable mirror. Therefore, with all due respect, the combination could not be made in the way suggested by the rejection.

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Applicant asks that all claims be allowed. No fee is believed to be due, however please apply any applicable charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,



Scott C. Harris
Reg. No. 32,030

Date: November 22, 2006

Fish & Richardson P.C.
PTO Customer No. 20985
12390 El Camino Real
San Diego, California 92130
(858) 678-5070 telephone
(858) 678-5099 facsimile

10686100.doc